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XTREME MANUFACTURING, LLC

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RUDY GONZALEZ, an individual,

Plaintiff,

v.

XTREME MANUFACTURING, LLC, a
limited-liability corporation; and DOES 1-100,
inclusive,

Defendants.

Case No.: 1:20-CV-01704-NONE-SKO

**JOINT STIPULATION AND ORDER
GRANTING PLAINTIFF RUDY GONZALEZ
LEAVE TO FILE FIRST AMENDED CLASS
ACTION COMPLAINT**

(Doc. 7)

1 This Joint Stipulation is made and entered into by and between Plaintiff Rudy Gonzalez
2 (“Gonzalez”) and Defendant Xtreme Manufacturing, LLC, (“Xtreme”) (collectively, the “Parties”)
3 by and through their respective counsel of record.

4 WHEREAS, the Parties agree that filing the attached First Amended Class Action Complaint
5 (the “FAC”) attached hereto as Exhibit A is appropriate and just pursuant to Federal Rules of Civil
6 Procedure Rule 15, subdivision (a)(2) and Xtreme consents thereto;

7 WHEREAS, good cause exists to grant leave to amend in that the Parties do not wish to
8 engage in law and motion practice on the issue and filing of the FAC will not prejudice Defendant.

9 WHEREAS, by entering into this Stipulation and affording it consent to filing of the FAC,
10 Xtreme shall not be deemed to have consented to the viability or merit of any claim or cause of action
11 asserted in the FAC and shall retain its right to attack such claims through whatever procedural
12 avenues may be available.

13 **IT IS SO STIPULATED.**

14 **DATED:** February 19, 2021

MAYALL HURLEY P.C.

15
16 By /s/ Robert J. Wasserman
17 ROBERT J. WASSERMAN
18 JENNY D. BAYSINGER
Attorneys for Plaintiff and the Putative

19 **DATED:** February 19, 2021

**OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.**

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22 By: /s/ Michael J. Nader
23 Evan R. Moses
24 Michael J. Nadre
Attorneys for Defendant
XTREME MANUFACTURING, LLC

25 *Plaintiff obtained Defendant’s counsel’s permission*
26 *to affix their electronic signatures on this joint*
27 *stipulation*
28

ORDER

Based on the Parties' above stipulation (Doc. 7), and for good cause shown, IT IS HEREBY ORDERED that Plaintiff is granted leave to file the First Amended Class Action Complaint attached as Exhibit A to the stipulation (*see* Doc. 7). Defendant shall have twenty-one (21) days from the filing of the amended complaint to file a responsive pleading.

IT IS SO ORDERED.

Dated: **February 22, 2021**

/s/ Sheila K. Overt
UNITED STATES MAGISTRATE JUDGE